

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 30 2003 NEW PRIORITY DATE:
NOV 7 2008

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 30 2003 under 69928

The applicant **Garrett Van Diest, Inc.** hereby make application for permission to change the **Point of Diversion and place of use** of water heretofore appropriated under **Permit No. 66418**

1. The source of water is **Underground**
2. The amount of water to be changed **20.00 af**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **in the NE¼ of NW¼ of Section 18, T.34N., R.38E., MDB&M., or at a point from which the N¼ corner of said Section 18 bears N. 71°45' E. a distance of 289 feet.**
6. The existing permitted point of diversion is located within **the SW¼ of NW¼ of Section 8, T.33N., R.38E., MDB&M., or at a point from which the W¼ corner of said Section 8 bears S. 85°25' W. a distance of 251 feet.**
7. Proposed place of use **Portion of the NE¼ of NW¼ of Section 18, T.34N., R.38E., MDB&M. 5.00 acres of 20.00 acres area**
8. Existing place of use **in a portion of SW¼ of NE¼ of Section 8, T.33N., R.38E., MDB&M. 5.00 acres**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **well, pump, pipe lines**
12. Estimated cost of works **\$20,000.00**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks:

By **Ernest E. Muller, Sr., SWRS 702**
s/ **Ernest E. Muller**
750 W. Pueblo St.
Reno, NV., 89509

Compared sg/cmf lb/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 66418 is issued subject to the terms and conditions imposed in said Permit 66418 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 69928, 69929, and 69930 shall not exceed 80 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.02784 cubic feet per second, but not to exceed 20.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

August 21, 2005

Proof of completion of work shall be filed on or before:

September 21, 2005

Water must be placed to beneficial use on or before:

August 21, 2008

Proof of the application of water to beneficial use shall be filed on or before:

September 21, 2008

Map in support of proof of beneficial use shall be filed on or before:

September 21, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 21st day of August, A.D. 2003

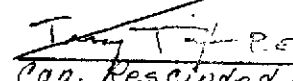

State Engineer

Completion of work filed OCT 17 2005

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

~~CANCELLED NOV 12 2008 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT
 STATE ENGINEER
Can. Rescinded 11-25-2008~~